UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

MY FIRST BIKE PRODUCTIONS, INC., Plaintiff, v. MYSPACE, INC., a Delaware Corporation, d/b/a Myspace.com, DIRECTV, INC., a California corporation, FOX INTERACTIVE MEDIA, INC., a Delaware corporation, Defendants.	CASE NO. 1:07-CV-0459-RLY-TAB

DEFENDANTS' MOTION TO DISMISS

Defendants MySpace, Inc. ("MySpace"), DIRECTV, Inc. ("DIRECTV"), and Fox Interactive Media, Inc. ("FIM") (collectively, "Defendants"), by counsel, pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure and S.D.Ind.L.R. 7.1(a), respectfully move this Court to dismiss the Complaint and Demand for Jury Trial ("Complaint") filed by Plaintiff, My First Bike Productions, Inc. ("Plaintiff"), and in support thereof, state:

1. Plaintiff's Complaint should be dismissed in its entirety pursuant to Fed.R.Civ.P. 12(b)(2) and 12(b)(6). Specifically, none of the three defendants are subject to personal jurisdiction in this Court. In addition, three of the four state-law claims asserted by Plaintiff are preempted by the federal Copyright Act and must be dismissed. Finally, even accepting as true all well-pleaded allegations in the Complaint, three of the four claims fail to state a claim upon which relief may be granted.

2. Pursuant to S.D.Ind.L.R. 7.1(a), Defendants are filing contemporaneously herewith a supporting Memorandum of Law.

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WHEREFORE, Defendants respectfully request that this Court dismiss Plaintiff's Complaint in its entirety and for all other just and appropriate relief.

Date: April 23, 2007

Respectfully submitted:

/s/ Paul D. Vink

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Attorneys for Defendants, MYSPACE, INC., DIRECTV, INC., and FOX INTERACTIVE MEDIA, INC.

CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2007, a copy of the foregoing document was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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